

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR17-0269-JCC

10 Plaintiff,

ORDER

11 v.

12 BRANDON BRANDRETH-GIBBS,

13 Defendant.  
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15 This matter comes before the Court on the Government's unopposed motion to continue  
16 the trial date and extend pretrial deadlines (Dkt. No. 51). Having reviewed the motion and the  
17 relevant record, the Court FINDS that:

18 (a) a failure to grant a continuance would likely result in a miscarriage of justice, as  
19 set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

20 (b) taking into account the exercise of due diligence, a failure to grant a continuance  
21 would deny counsel for the United States and Defendant the reasonable time necessary for  
22 effective preparation, due to the need for medical professionals to complete, and present to the  
23 Court, the necessary evaluations of Mr. Brandreth-Gibbs' competency to stand trial;

24 (c) the additional time requested is a reasonable period of delay, given the complexity  
25 of the case and the necessity of arriving at a fair determination of Mr. Brandreth-Gibbs'  
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1 competency prior to completion of final trial preparation;

2 (d) the case is sufficiently complex that it is unreasonable to expect adequate  
3 preparation for pretrial proceedings or the trial itself within the current trial schedule, as set forth  
4 in 18 U.S.C. § 3161(h)(7)(B)(ii), given that the Defendant has been found incompetent and his  
5 ability to be restored to competency has not yet been resolved;

6 (e) the ends of justice will best be served by a continuance and the ends of justice  
7 outweigh the best interests of the public and the Defendant in a speedier trial, as set forth in 18  
8 U.S.C. § 3161(h)(7)(A).

9 Therefore, the Court ORDERS that the jury trial in this matter is continued to December  
10 17, 2018. All pretrial motions shall be filed no later than November 16, 2018. The Court further  
11 ORDERS that, the time for trial is tolled during the period from July 16, 2018, through  
12 December 17, 2018. *See* 18 U.S.C. § 3161(h)(1)(A) and (h)(1)(7).

13 DATED this 14th day of June 2018.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE